

1 DECEMBER 1947

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of
WITNESSES

Defense' Witnesses

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Cross (cont'd) by Mr. Tavenner

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MORNING RECESS

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Cross (cont'd) by Mr. Tavenner

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I N D E X
of
EXHIBITS

<u>Doc. No.</u>	<u>Def. No.</u>	<u>Pros. No.</u>	<u>Description</u>	<u>For Ident.</u>	<u>In Evidence</u>
1383F(1)		3518	Telegram No. 480 dated 3 May from Ambassador OSHIMA to Foreign Minister MATSUOKA		34236
1383F(2)		3519	Telegram No. 373 dated 5 May 1941 from Foreign Minister MATSUOKA to Ambassador OSHIMA		34244
889		3520	Supplementary Pro- tocol(Articles 1 to 11)		34246

1 Monday, 1 December 1947

2 - - -

3
4 INTERNATIONAL MILITARY TRIBUNAL
5 FOR THE FAR EAST
6 Court House of the Tribunal
7 War Ministry Building
8 Tokyo, Japan

9 The Tribunal met, pursuant to adjournment,
10 at 0930.

11 Appearances:

12 For the Tribunal, all Members sitting, with
13 the exception of: HONORABLE JUSTICE SIR WILLIAM F.
14 WEBB, Member from the Commonwealth of Australia, not
15 sitting from 0930 to 1600.

16 For the Prosecution Section, same as before.

17 For the Defense Section, same as before.

18 - - -

19 (English to Japanese and Japanese
20 to English interpretation was made by the
21 Language Section, IMTFE.)
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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now in session.

3 ACTING PRESIDENT: All the accused are present
4 except MATSUI, who is represented by counsel. We have
5 a certificate from the prison surgeon at Sugamo cer-
6 tifying that he is ill and unable to attend the trial
7 today. The certificate will be recorded and filed.

8 Mr. Tavenner.

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10 H I R O S H I O S H I M A, an accused, resumed the
11 stand and testified through Japanese interpreters
12 as follows:

13 CROSS-EXAMINATION

14 BY MR. TAVENNER (Continued):

15 Q General OSHIMA, on Friday afternoon I asked
16 you questions relating to what you termed in your
17 article to be the fundamental principle of the Tri-
18 partite Pact, and I asked you what Hitler and Mussolini
19 did to carry out the fundamental principle. I now
20 ask you what did Japan do to carry out the fundamen-
21 tal principle of the pact relating to the establishment
22 of the New Order?

23 A Although the idea of the principle of the
24 New Order was one of the purposes of the pact, work
25 did not proceed to the point where it was concretely

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19 did to carry out the fundamental principle. I now
20 ask you what did Japan do to carry out the fundamen-
21 tal principle of the pact relating to the establishment
22 of the New Order?

23 A Although the idea of the principle of the
24 New Order was one of the purposes of the pact, work
25 did not proceed to the point where it was concretely

1 materialized. That is all.

2 Q It was not completely materialized because
3 you lost the war, isn't that true?

4 A It is my interpretation and understanding
5 that Japan engaged in war for her own self-defense
6 and not for the purpose of creating a new order.

7 Q Did not Japan continue the war with China
8 which had been in progress many years prior to the
9 conclusion of the pact?

10 A Japan referred to these hostilities as the
11 China Affair. It is a fact that these hostilities
12 continued.

13 Q Did not Japan continue its efforts to estab-
14 lish the New Order in East Asia under these provisions
15 of the pact by the military occupation of Indo-China
16 where naval and air bases were secured for use by
17 Japan?

18 A In view of the fact that I was then in Ger-
19 many I am unable to testify with regard to what Japan
20 was doing in any detail, and for what purpose Japan
21 was engaged in certain things, because I was not
22 notified or informed of these activities.

23 Q In your article published in the November 1940
24 issue of Dai-Asia Shugi you informed the Japanese
25 nation that it was necessary that they cooperate in

1 the establishment of the so-called New Orders of
2 Germany and Italy. Was this not based on these pro-
3 visions of the pact?

4 A The Tripartite Pact had already been concluded,
5 an Imperial Rescript and a government statement had
6 been issued, and my statement in the article was a
7 mere repetition of what had already been announced.
8 But I do not refer here to what must be done concretely
9 in order to carry out the pact, rather I am mentioning
10 these matters here more as a symbol, more as an idea
11 than anything else.

12 Q In other words, General OSHIMA, the latter
13 part of Article 3 of the pact regarding aid in the
14 event of attack by a power not presently engaged in
15 war in Europe or Asia, was in fact designed as a
16 cloak to conceal and a shield to protect the partici-
17 pating powers in the course of conduct in which they
18 were then engaged in Europe and in China. Is that not
19 true?
20

21 A Not having participated in the drafting of
22 the pact I do not know actually what the intentions
23 were. But in so far as my understanding is concerned
24 there was absolutely no intention of concealing
25 anything.

Q General OSHIMA, exhibit 559, page 6,417 of

1 the transcript, is a memorandum between Japan, Germany
2 and Italy, bearing date 20 December 1940, providing
3 for the establishment of a General Commission, Mili-
4 tary Commission and an Economic Commission. Were you
5 head of the General Commission in Berlin?

6 A Yes. But I was just a member of the General
7 Commission; there was no chairman.

8 Q Was your commission charged with the respon-
9 sibility of determining, in the event of war, whether
10 a party to the pact had been attacked within the mean-
11 ing of Article 3, that is, whether the contracting
12 party was the aggressor or not?

13 A No, it had no such responsibility. Its work
14 was to assemble all possible data, to report such
15 data to the home government, and the decision on such
16 matters was to be made by the home government.

17 Q You state that it had no such responsibility?

18 A No responsibility. Its duty was merely to
19 assemble data.
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1 Q Now I desire to read to you a question and
2 answer from your interrogation of February 15, 1946:

3 "Q So that actually this treaty makes no provision
4 that the signatory parties are to help one another only
5 in the event that one has an attack made upon it that
6 is unprovoked. There is no requirement that such a
7 condition exist. It was a mutual aid pact and provided
8 in effect, did it not, that if one of the three is
9 attacked then the other two will help the one that has
10 been attacked?

11 "A In substance this is what I believe it means.
12 No, I know it to be so. The right to decide whether
13 one of the signatories was attacked and whether the
14 others will furnish aid is left up to this commission.
15 To put it differently, let us say that the United States
16 and Germany had gone to war. Japan was not obligated
17 to furnish aid unconditionally. The Commission was to
18 decide whether the attack had occurred or not."

19 Now, was that question not asked you and that
20 answer given by you? Please answer yes or no.

21 A Such a question and answer took place but there
22 must have been some ~~misunderstanding~~ or some misinter-
23 pretation in what is written on what you have just
24 quoted from. The memorandum clearly stipulates that the
25 decision was to be made by the contracting powers. If

1 Q Now I desire to read to you a question and
2 answer from your interrogation of February 15, 1946:

3 "Q So that actually this treaty makes no provision
4 that the signatory parties are to help one another only
5 in the event that one has an attack made upon it that
6 is unprovoked. There is no requirement that such a
7 condition exist. It was a mutual aid pact and provided
8 in effect, did it not, that if one of the three is
9 attacked then the other two will help the one that has
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14 others will furnish aid is left up to this commission.
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16 and Germany had gone to war. Japan was not obligated
17 to furnish aid unconditionally. The Commission was to
18 decide whether the attack had occurred or not."

19 Now, was that question not asked you and that
20 answer given by you? Please answer yes or no.

21 A Such a question and answer took place but there
22 must have been some misunderstanding or some misinter-
23 pretation in what is written on what you have just
24 quoted from. The memorandum clearly stipulates that the
25 decision was to be made by the contracting powers. If

1 you will see the memorandum the matter would be quite
2 clear. Of course, it would be quite possible for the
3 question as to who attacked or who was attacked would
4 come up for discussion at the conference of the general
5 commission but the procedure was that reports of the
6 data be sent to the home governments and for the home
7 governments to make the decision.

8 Q Was this general commission of which you were
9 a member ever called into session to determine who
10 was the aggressor between a party to the pact and a
11 third power?

12 A No, not once.

13 Q Did you receive a joint order from the War
14 Minister, Navy Minister and Foreign Minister at the time
15 of the establishment of the commission under the Tri-
16 partite Pact which changed the existing rule relating
17 to the duties of an ambassador by providing that in the
18 case of the ambassador to Germany permission was given
19 to discuss matters of a military nature with German
20 officials if the Japanese military and naval attaches
21 and members of the military commission accompanied the
22 ambassador to such conferences?

23 A That requires some explanation. The duties
24 were not changed. There was no change in principle
25 that the ambassador being a civil official was not to

1 participate in military matters. However, because
2 High Command matters were not handled in Germany and
3 Italy as they were in Japan, if such matters should ever
4 come up for discussion at the meeting of the general
5 commission it was unavoidable that the Japanese ambas-
6 sador must take up the matter and restriction was
7 placed in this regard that the ambassador on such
8 occasion must be accompanied by the military and naval
9 attaches.

10 Q Just a moment. I did not confine my question
11 to meetings of the commission. My question was broader
12 than that. It referred to discussions generally with
13 German officers.

14 A As I have said before, this was the power given
15 to the ambassador in discussing at the general commis-
16 sion.

17 Q Well, I am asking you if you weren't given
18 power to discuss military matters with German officials
19 generally, not merely at conferences of the commission.

20 A No, I was not given any such authority.

21 Q Well, is it a fact that you did frequently
22 discuss military matters with Hitler, Ribbentrop and
23 other high-ranking German officials without having
24 present at the conferences any of the officials required
25 to be there under the joint order that I read to you?

1 A At times the German side brought up matters of
2 a general nature but they were never discussed. When
3 such matters came up, inasmuch as they did not require
4 negotiations with the Japanese government, I transmitted
5 them to the military -- transmitted to the military
6 and naval attaches and these attaches in turn communicated
7 with their headquarters in Tokyo.

8 (Whereupon, at the request of the
9 Monitor, the Japanese court reporter read.)

10 THE MONITOR: No corrections.

11 THE INTERPRETER: The witness explained to
12 the reporter who had taken down that the Japanese
13 military and naval attaches took the matter up with
14 the Japanese military and naval attaches, correcting
15 that to mean that the Japanese military and naval
16 attaches in Berlin had communicated the matter to the
17 Army and Navy in Japan.
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1 Q In other words, regarding military matters
2 you were a mere messenger in the Embassy, conveying
3 information from the German military authorities to
4 the attaches without your taking part in any negotia-
5 tions regarding them. Is that what you would have
6 us believe?

7 A You have just spoken of military matters,
8 but the scope is very wide. There are some military
9 matters which it is in the competence of a civil
10 official to handle. On the other hand, there are also
11 military matters of a very specialized nature, genuine
12 military matters which require handling by military
13 men. With respect to such purely genuine military
14 matters, I did, as the prosecutor suggested, act as
15 a sort of messenger boy to the military and naval
16 attaches. I wish further to add, moreover, that as
17 far as most matters were concerned they were dis-
18 cussed and disposed of between the Japanese military
19 and naval attaches and the competent military and
20 naval officials of the German side.

21 Q Is it not true that on 2 January 1942
22 you informed Ribbentrop that you had received from
23 your government instructions which permitted you to
24 concentrate in your hands all questions in regard
25 to the general line of cooperation in a common war

1 and that only questions of details in the military
2 and economic fields would be dealt with by the
3 military and economic member of the special commis-
4 sion under the Tripartite Pact?

5 A 1942, did you say?

6 Q Yes.

7 A I received no such instructions. The German
8 side did desire that I have such instructions, but
9 the system in Japan did not permit of such instruc-
10 tions, and I did not receive any. The general com-
11 mission, the economic commission, and the military
12 commission were each independent of each other. The
13 general commission could seek the cooperation of the
14 other commissions, but it had no power of direction
15 or command.

16 Q That was not responsive at all to the
17 question I asked you, and may I remind you of the
18 importance of making your replies applicable specifi-
19 cally to the question that I ask you.

20 Do you not recall that at the conference I
21 mentioned Ribbentrop said to you that he welcomed the
22 concentration of authority in your hands because it
23 switched the center of gravity of the Tripartite
24 Commission to Berlin?

25 A I have no exact recollection, but I do know

that Ribbentrop was a man who had such ideas.

1 Q Well, is it not true that at a conference
2 with Hitler on the following day, 3 January 1942,
3 Hitler stated to you that he would discuss military
4 affairs only with you personally?

5 A I have no recollection that he said that.

6 Q And did you not say to Hitler at this con-
7 ference that you were empowered by your government
8 to discuss the prosecution of the war with the German
9 Foreign Minister?
10

11 A No, I was only empowered with handling the
12 political aspects, and only for the handling of these
13 political aspects was I responsible, and I think
14 naturally I told this to him. If permitted I should
15 like to explain two or three points with regard to
16 the actual situation.

17 MR. TAVENNER: In regard to what?

18 THE INTERPRETER: In regard to the actual
19 situation -- then prevailing.

20 Q I don't think the explanation is necessary
21 unless it is in specific answer to my question as to
22 whether or not you made that statement, but possibly
23 my next question will reach the matter that you have
24 in mind.
25

Did you not further state to Hitler that

1 while individual questions might be discussed between
2 the army, the airforce, and the navy, it was of prime
3 importance that the principal policy be laid down
4 exclusively by you and the Foreign Minister?

5 A I do not know what expression was used, but
6 I think I said that policy matters were under my
7 charge.

8 Q And is this not what was actually done; that
9 is, were not the matters of prime importance and the
10 principal policies settled by you and Ribbentrop?

11 A We talked, but there was no case of our
12 deciding any new policy.

13 Q Is it not also true that you stated to
14 Hitler that this same method should be applied to
15 economic and political questions?

16 A Whether I said that or not, I do not recall,
17 but it was within my authority to handle political
18 and economic matters. That is a fact.

19 Q General OSHIMA, did not Japan and Germany,
20 prior to Pearl Harbor, exchange raw materials for use
21 in the wars that were being waged by both Japan and
22 Germany?

23 A Yes, but on a very small scale.

24 Q Did not Japan and Germany prior to Pearl
25 Harbor exchange military information and technical

1 knowledge?

2 A Not in so far as my participation was
3 concerned. If such exchange did take place it
4 probably took place between the respective armies
5 and navies of both countries.
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1 Q You state on page 4 of your affidavit that
2 you approved the exchange of culture between Japan and
3 Germany. Did this exchange of culture include scien-
4 tific knowledge and inventions useful in the waging of
5 war?

6 A No, these were absolutely not included.

7 Q Is it not true that many German agents migrated
8 to Japan between 1938 and 1942 in the guise of business
9 men, technicians, advisers, teachers and tourists for
10 the purpose of instructing the Japanese in the Nazi
11 way, economically, politically, and militarily?

12 A In so far as I know, I know of no case of any
13 Germans being employed to study Nazi methods.

14 THE INTERPRETER: Correction: In so far as
15 I know, I know of no case in which Germans were em-
16 ployed as teachers in the methods of the Nazis.

17 A (Continuing) But I knew that some technicians
18 were employed for the purpose of studying technical
19 matters. The period to which you have referred also in-
20 cludes the period during which I was a military attache
21 in Germany. At least during my tenure of office as
22 military attache not one German officer came to Japan
23 as an instructor.
24

25 Q Were not many officers in the Japanese Army
and Navy sent to Germany for study?

1 A The Japanese army and navy sent their young
2 officers not only to Germany but to France, to Italy,
3 to the United States, to Great Britain and other
4 countries.

5 Q And did many of them study at the University
6 of Munich?

7 A As far as I know, I know of no Japanese officer
8 who studied at a German university.

9 THE MONITOR: Before "officer" insert "army";
10 "army officer."

11 Q What about civilians?

12 A Civilians studied at various universities. They
13 were not limited to Munich alone.

14 Q Did they study at Munich?

15 A There may have been some who studied at
16 Munich University, but they were not limited to that
17 school alone.

18 Q Was Karl Haushofer known as the leading German
19 authority on Japan, and were his works read and studied
20 by Japanese both in Germany and in Japan?

21 A In Germany he was one of those who knew Japan.
22 I cannot say, however, that his works were read widely
23 in Japan.

24 Q Did you not tell Mr. Hyde in your interroga-
25 tions that his works were read widely by Japanese

students in Germany and in Japan?

1 A His works were widely read by Germans in
2 Germany and by Japanese -- to some extent by Japanese
3 in Germany. But his works had no influence whatsoever
4 in Japan, itself.

5 Q Is it not true that Haushofer's theory of geo-
6 politics constituted the basis of Nazi philosophy of
7 geographic expansion?
8

9 MR. CUNNINGHAM: I should like to object. We
10 are getting far afield from the real issues involved
11 in this case. It does not seem as though this matter
12 has any direct bearing on any of the issues involved.

13 ACTING PRESIDENT: What is the materiality,
14 Mr. Tavenner?

15 MR. TAVENNER: The materiality is the influence
16 of this notorious leader in German thought upon those
17 in Japan who came in contact with him, which, of course,
18 involves his political thinking and Nazi ideology.

19 ACTING PRESIDENT: By a majority, the objection
20 is sustained.

21 Q In your news article of January 1940, exhibit
22 3516-A, you refer to the possibility that the Soviet
23 Union desired to reach a rapprochement with Japan in the
24 Far East after the conclusion of the German-Russian
25 Non-Aggression Pact. Do I correctly understand from

1 this that in January 1940 you favored a rapprochement
2 between Japan and the U.S.S.R.?

3 A I do not quite recall. May I be shown that
4 article?

5 Q It is the article which was read to you on
6 Friday.

7 A Are you referring to the article in the Dai-
8 Asia Shugi?

9 Q The one in January 1940, which was the other
10 magazine, I think.

11 A I have no recollection, but I did desire a
12 rapprochement between the Soviet Union and Japan.

13 Q Shortly after your return to Germany on your
14 second mission as Ambassador, did you learn of the
15 probability of an attack by Germany on Russia?

16 A What is the time you are referring to?

17 Q Well, you returned to Germany as Ambassador in
18 February, 1941. That is the time I am referring to.

19 A I did not even imagine such a thing at that
20 time.

21 Q Did you not have a conference with Hitler in
22 February or March, 1941, in which Hitler advised you that
23 Germany would probably attack Russia?

24 A I had no such conference with him. However,
25 when MATSUOKA came to Berlin, I did not know which it

OSHIMA

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1 was, whether it was Hitler or Ribbentrop -- one of the
2 two -- said at a meeting in which I also sat, something
3 to that effect although very vaguely.
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1 Q Well, do you not recall that in March, 1941,
2 you told YOKOI, your Naval Attache, of a conference
3 you had with Hitler, in which he told you of the
4 German probability of an attack against Russia?

5 A I probably told him of the conversation
6 that took place between MATSUOKA and the German
7 leaders, but the meaning here is different.

8 Q Well, in what way is it different?

9 A It is suggested by what the prosecutor
10 read, as if the German attack on Russia was already
11 decided, but the expression used by Hitler or
12 Ribbentrop, I don't remember which it was, was not
13 that certain. It was very vague.

14 Q Aside from any direct statement to you by
15 German officials on that matter, did you not have
16 reason to believe, from the concentration of large
17 bodies of troops on the Russian border and the
18 extensive military preparations then being made, that
19 Germany would probably attack Russia?

20 A Yes. The reason why I considered the great
21 probability of a war between Germany and the Soviet
22 Union was on the basis of this great increase in
23 forces, but I could not arrive at the conclusion
24 that such movements would inevitably lead to war.
25

Q Then, you did consider at this time, did

1 you not, that while Germany had seemed to desire
2 Japanese-Russian friendly relations in the past, the
3 conditions were changing in regard to German-Russian
4 relations at this time, and so it would be the wise
5 thing, after all, to consider any proposed non-
6 aggression pact between Japan and Russia?

7 Probably that question is too long. Let
8 me ask you again.

9 Is it not true that at this time, that is
10 the latter part of March or the first of April,
11 1941, that you considered that the relations between
12 Germany and Russia were undergoing a change?

13 A Yes, that was the impression I had during
14 the latter part of March and the early part of April.

15 Q I am sorry. I did not get the reply.

16 (Whereupon, the last answer was
17 read by the official court reporter.)

18 Q Then, did you not come to the conclusion
19 that, in the light of that information or that situ-
20 ation, it would be better to think things over care-
21 fully before Japan and Russia should enter into a
22 non-aggression pact?

23 A I thought that we mustn't be too hasty.

24 Q And, then, when you accompanied MATSUOKA on
25 the train to the border, when he left Germany for

OSHIMA

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1 Moscow, you advised him accordingly, didn't you?

2 A Yes, I did.

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1 Q After MATSUOKA arrived in Moscow he still
2 communicated with you on several occasions regarding
3 the progress of the negotiations with Russia for the
4 Non-Aggression Pact, didn't he?

5 A In my recollection I think I received a
6 telegram twice -- on two occasions.

7 Q Did MATSUOKA always advise you regarding the
8 progress of his negotiations with other countries?

9 A No, he did not.

10 Q In testifying on cross-examination, page
11 34,147 of the transcript, you stated that economic
12 matters were entirely in the hands of economic experts,
13 and on the following page you testified that you had
14 almost no knowledge of economics at all. As a matter
15 of fact, General OSHIMA, were you not very active in
16 the field of economic cooperation in the joint pursuit
17 of the war?

18 A I do not know exactly what you mean, but with
19 the progress of the war traffic between Germany and
20 Japan was completely suspended, and, as a matter of fact,
21 there was no economic cooperation between the two
22 countries.
23

24 Q I am speaking of your activities in negotiations
25 relating to economic matters.

A I handled such matters when instructions came

1 from the Government, but because the actual situation
2 was such in which traffic was completely suspended
3 between the two countries, I have no recollections with
4 regard to my activities in this regard because there
5 was nothing to negotiate about.

6 Q At the conference of 2 January 1942 with
7 Ribbentrop, did you not present a memorandum suggesting
8 certain concrete negotiations regarding the mutual use
9 of German and Japanese economic power?

10 A I have no recollection, but I may have done
11 so.

12 Q Well, do you recall presenting a plan providing
13 for a German credit to Japan of one billion yen and a
14 provisional credit of fifty million yen in order to
15 enable Japan to obtain machines, armaments and factory
16 equipment?

17 A I have no recollection and by that I mean that
18 there may have been such. But plans on matters of this
19 kind were entirely prepared and drawn up by the economic
20 section of my embassy and I merely took the matter --
21 took the document when I approached the competent
22 German officials, so I have no exact recollection.

23 ACTING PRESIDENT: We will recess for fifteen
24 minutes.
25

(Whereupon, at 1045, a recess was taken

OSHIMA

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until 1100, after which the proceedings were
resumed as follows:)

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MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

ACTING PRESIDENT: Mr. Tavenner.

BY MR. TAVENNER (Continued):

Q General OSHIMA, in presenting this plan of
credit, did you not act purely on your own initiative
and without any authority of your government?

A I have no correct recollection, but that is
not quite possible.

Q Did you learn that Ambassador Ott and Wohltat,
on 23 January 1942, questioned your authority to initiate
this plan?

A Where were Ott and Wohltat at the time? Were
they in Japan, or where did they say such a thing?

Q They were in Japan and telegraphed the informa-
tion through to Germany.

A I have no recollection, but I might refresh
my memory if the related documents were shown to me.

Q Did you ever see the telegram from Ott to
Ribbentrop questioning your authority, or did you hear
of it through any German sources?

A I have neither seen nor heard of it.

Q Did not MATSUHIMA, head of the Economic
Division, inform Wiehl on 24 January 1942 that you had
presented a draft of the economic treaty of assistance

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1 MARSHAL OF THE COURT: The International
2 Military Tribunal for the Far East is now resumed.

3 ACTING PRESIDENT: Mr. Tavenner.

4 BY MR. TAVENNER (Continued):

5 Q General OSHIMA, in presenting this plan of
6 credit, did you not act purely on your own initiative
7 and without any authority of your government?

8 A I have no correct recollection, but that is
9 not quite possible.

10 Q Did you learn that Ambassador Ott and Wohltat,
11 on 23 January 1942, questioned your authority to initiate
12 this plan?

13 A Where were Ott and Wohltat at the time? Were
14 they in Japan, or where did they say such a thing?

15 Q They were in Japan and telegraphed the informa-
16 tion through to Germany.

17 A I have no recollection, but I might refresh
18 my memory if the related documents were shown to me.

19 Q Did you ever see the telegram from Ott to
20 Ribbentrop questioning your authority, or did you hear
21 of it through any German sources?

22 A I have neither seen nor heard of it.

23 Q Did not MATSUHIMA, head of the Economic
24 Division, inform Wiehl on 24 January 1942 that you had
25 presented a draft of the economic treaty of assistance

1 without the approval of your government, because you be-
2 lieved that it would unduly delay the credit arrangement
3 if the consent of the Japanese Government would have to
4 be obtained first?

5 A It is a fact that Minister MATSUSHIMA was in
6 charge of economic questions in the Embassy, and was
7 drawing up various plans, but I do not recall the con-
8 tents. But, assuming that this was so, it is quite
9 possible to say that the German side was saying such a
10 thing for the purpose of bargaining --

11 Correction: It is a fact that Minister MATSU-
12 SHIMA, who was in charge of economic affairs in the
13 Embassy, was carrying on negotiations with the German
14 side, but I do not recall the contents of it. Assuming
15 that such a thing did happen, it is quite possible for
16 such statements -- for such matters being brought up in
17 bargaining with the German side, but I cannot give you
18 any definite views on my own part.

19 Q I am asking you this specific question: Did
20 you or did you not present that plan of economic assist-
21 ance without authority from your government being first
22 obtained?
23

24 A I have no recollection, and furthermore there
25 would be no possibility of occasion for such.

Q At a conference on 23 March 1942 did you and

1 Ribbentrop discuss future economic cooperation between
2 the European-African sphere under the leadership of
3 Germany and Italy on the one side, and the East Asia
4 sphere under the leadership of Japan on the other side?

5 A I have no recollection.

6 Q Do you not recall that in your conference you
7 contemplated the establishment of a great economic
8 agreement between the three powers, aimed at establishing
9 advantages and privileges for Japan, Germany and Italy
10 to the exclusion of the United States as much as
11 possible?

12 A I have no recollection.

13 Q Do you recall that at a conference between
14 you and Ribbentrop on 9 May 1942, the position was taken
15 by Ribbentrop that the Tripartite Pact was the starting
16 point for all political and economic discussions and
17 plans for international relations, even after the period
18 of the war?

19 A He may have, but I have no recollection.

20 Q Do you not recall that you enthusiastically
21 concurred in this statement by Ribbentrop?
22

23 A I have no recollection.

24 Q Did you not envisage the waging of war with
25 the United States in the field of economy by Japanese,
German and Italian boycott to be enforced after the

1 shooting war ended?

2 A I have no recollection of that.

3 Q In this conference of May 9, 1942, did you not
4 discuss the facilitation of economic cooperation between
5 the two great economic areas defined in the Tripartite
6 Pact, by the establishment of a strict control of the
7 economy of those nations?

8 A No, I have no recollection.

9 Q Didn't your discussion even extend to the
10 question of how you would control the economy of
11 independent states which were located within the various
12 spheres defined under the Tripartite Pact?

13 A There would be no occasion for discussing such
14 a thing.

15 Q I am not asking you as to whether or not there
16 would be an occasion; I am asking you if you did not
17 discuss those very matters.

18 A In my recollection -- according to my recollec-
19 tion there was no such a discussion.

20 Q Did not your discussion go to the extent that
21 it involved a plan on the part of the Axis Powers to exert
22 influence on the independent states in such a way as to
23 compel regulation of their individual economies?

24 A I have no recollection of ever having dis-
25 cussed such a matter.

1 Q Did not you and Ribbentrop at this conference
2 agree that in so far as the United States and Central
3 and South American countries were concerned a bind-
4 ing arrangement should be made that after the war the
5 resumption and continuation of economic relations
6 should only take place after mutual agreement between
7 Japan, Germany, and Italy?

8 MR. CUNNINGHAM: That is objected to as
9 immaterial and going far beyond the issues involved
10 in this case.

11 MR. TAVENNER: My reply, if the Tribunal
12 please, is that there was no limit to the extent
13 the Tripartite Pact went under its terms and under
14 the construction that was being given it by some of
15 these accused.

16 ACTING PRESIDENT: The objection is overruled.
17 BY MR. TAVENNER:

18 Q Please answer.

19 A I have no recollection. It all appears to
20 be very abstract and pertaining to the future, and I
21 have no recollection of ever having discussed such
22 matters seriously.

23 Q I hand you exhibit 50 in the Japanese text,
24 which is an announcement by the Board of Information
25 of the agreement between Japan and Germany concerning

1 economic cooperation. It wasn't read in evidence.
2 Will you glance at this document and tell me whether
3 you signed the agreement referred to therein in
4 behalf of Japan, and the date you signed it.

5 (Whereupon, the witness examined the
6 document.)

7 A mere glance at that document ought to be
8 sufficient, General OSHIMA.

9 A I recall that there was an economic agree-
10 ment similar to what is referred here. It is also
11 true that all economic agreements signed in Germany
12 were signed on my responsibility.

13 Q Well, did you sign it?

14 A I think I signed it. I did not handle
15 economic negotiations, but I had the responsibility for
16 them. By merely looking at this I don't recall the
17 date.

18 Q Is that the same economic agreement of assist-
19 ance to which you referred in your affidavit as having
20 been concluded in January, 1943?

21 A I think so probably, but I have no definite
22 recollection. As I have stated in my affidavit, I
23 don't recall the contents.
24

25 Q Now, there is nothing said in that announcement
from the Bureau of Information, as shown in exhibit
50, of the existence of any secret terms or agreements.

Do you know whether there was a secret protocol?

1 A I don't think there was any secret agreement
2 attached to an economic agreement.

3 Q Do you not know, as a matter of fact, that
4 there was a secret protocol?

5 A I have no recollection.

6 Q Well, I will see after lunch if I can present
7 it to you to refresh your recollection both as to
8 the fact of such a secret protocol and its contents,
9 and then I may desire to ask you further questions
10 about it.
11

12 After MATSUOKA's return to Japan in April,
13 1941, were you aware that talks were conducted between
14 Japan and the United States?

15 A I received notification for the first time
16 on the 1st of May --

17 THE INTERPRETER: Correction: in the latter
18 part of May.

19 Q That is not an answer to my question. I
20 didn't ask you when you received official notifica-
21 tion; I asked you if you were aware that talks were
22 being conducted.

23 A No, I did not know.

24 Q When did you first learn that?

25 A As I have already replied, the latter part of

May.

Q Did you not oppose the diplomatic policy of MATSUOKA with regard to the United States?

A I did not oppose it.

Q Did you not inform MATSUOKA that in your opinion Japan would lose the chance to establish her right for leadership in East Asia if Japan concluded the anticipated agreement with the United States?

A No, I have not stated anything to him in that manner. I have sent him my opinions.

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1 Q Well, did you send him your opinion in that
2 manner?

3 A No.

4 Q Did you not submit to MATSUOKA two plans that
5 you prepared from the German viewpoint, one of which
6 contemplated the refusal of the American proposal and
7 the other of which would have bound the United States
8 to abandon the convoy patrol plan?

9 A Yes, I did.

10 Q Did you not also remind MATSUOKA that the
11 European war was developing favorably for Germany
12 and Italy and in a few months very important develop-
13 ments were expected?

14 A Yes, I did.

15 Q And then did you not urge MATSUOKA that if
16 at that time Japan should lose the confidence and
17 trust of Germany and Italy it would be very unfortunate
18 for Japan?

19 A I said something to that effect to him but
20 there were some preliminary remarks before that.

21 Q Did you not also suggest to MATSUOKA that
22 his policy was a two-faced diplomacy which would lead
23 Japan to an absolute international isolation during
24 the critical period which may arise after the war?
25

A I did not say that MATSUOKA's policy was a

1 two-faced diplomacy, but I did say that such would be
2 the result if he did undertake to pursue a two-faced
3 diplomacy.

4 Q And you were doing all you could in the
5 presentation of your views to MATSUOKA to discourage
6 and defeat a rapprochement between Japan and the
7 United States, didn't you?

8 A No, that is not so; that is entirely contrary
9 to the facts.

10 Q Well, did you not explain to MATSUOKA your
11 apprehension that should Japan lose this opportunity
12 to expand southward and the possibility of attacking
13 Singapore she would invite the contempt of not only
14 America and England but also Germany and Italy? Didn't
15 you urge that explanation in order to discourage
16 negotiations between Japan and the United States?

17 A I have made no efforts to discourage anything.
18 I informed him of the matters just suggested by you
19 but there were important premises, preliminary remarks,
20 before that.

21 Q Did you not charge that if MATSUOKA persisted
22 in his policy it would mean that Japan had abandoned
23 her great mission to establish a new order in the Great
24 East Asia?

A I did not say that the mission would be

abandoned if MATSUOKA's diplomacy were continued.

The opinion which I sent to him was to secure the neutrality of the United States and to seek a rapprochement with that country.

Q Did you not then call upon MATSUOKA to establish the idea of the Tri-Partite Pact by upholding the principle that Japan is to facilitate the battle of Germany and Italy against Britain?

A This was Japan's natural obligations under the Tri-Partite Pact, and for this purpose it was necessary to have the United States remain neutral and to do this was Japan's obligations under the terms of the pact. As an ambassador in Germany I was instructed to act with the Tri-Partite Pact as the standard and it was therefore naturally my obligation to see to it that Japan did not violate that obligation.

Q In other words, you undertook to control the diplomacy of the Japanese Government by your communications to MATSUOKA, didn't you?

A No, not so.

Q Now, in the early part of May 1941 -- just before I ask you that question I want to ask you one more relating to the matters I just discussed.

With regard to these matters that I have asked

1 you about did you not state to MATSUOKA, "I beg you
2 to take these circumstances under consideration"?

3 A I sent the wire to Mr. MATSUOKA with the
4 intention that he would give it his consideration.

5 MR. TAVENNER: I respectfully refer the
6 Tribunal to exhibit 1075, pages 9918 to 9932 of the
7 transcript.

8 Q Now, is it not true that early in May 1941
9 MATSUOKA contemplated a trip to the United States
10 regarding these matters we have discussed?

11 A I do not know.

12 Q I hand you prosecution document 1383,
13 telegram 480, purporting to be a telegram of May 4,
14 1941 from you to the Foreign Minister marked "Secret."
15 Will you please examine it and state whether or not
16 it was sent by you or under your direction?

17 A Of course, this message was sent out from the
18 Japanese Embassy in Berlin and naturally, therefore,
19 it would come under my direction, but this is purely
20 rumor.

21 MR. TAVENNER: I offer in evidence prosecution
22 exhibit 1383.

23 ACTING PRESIDENT: Prosecution document you
24 mean, do you not? It is admitted in evidence.

25 CLERK OF THE COURT: Prosecution document

OSHIMA

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1383F(1) will receive exhibit No. 3518.

(Whereupon, the document above
referred to was marked prosecution exhibit
No. 3518 and received in evidence.)

1 MR. TAVENNER: I will read the body of the
2 exhibit:

3 "A rumor that Foreign Minister MATSUOKA is
4 planning to go to the U.S.A. was lately in circula-
5 tion here and Domei, on 30 April, carried the talk
6 of Spokesman ISHII of the Information Bureau to the
7 effect that Germany and Italy should be asked whether
8 they would object to the Foreign Minister's trip to
9 the U.S. and that the U.S. is a neutral nation
10 concerning the European War and is not in hostility
11 with Germany and Italy. This gave the people such
12 an impression that the said rumor is well-grounded.
13 It is now common sense that the U.S.A. has become a
14 completely hostile country against Germany and
15 Italy by giving aids to Britain in such a way as
16 regarded to be near her actual participation in war.

17 "At this time when the German papers are
18 severely attacking Britain as well as the U.S.A.,
19 the German Government has made no expression of her
20 will outwardly on this rumor and the papers are
21 keeping silence. It can be judged, however, that
22 they evidently have great concern inwardly. I ask
23 you, therefore, to inform me of the truth by return
24 cable."
25

Q Who was your military attache in May, 1941?

1 A I think it was Lieutenant General BANZAI.

2 Q Did you discuss with him your objection to
3 MATSUOKA's proposed visit to the United States?

4 A I have not objected to the proposed visit.

5 Q Well, did you discuss the question of the
6 visit with BANZAI?

7 A I have no recollection.

8 Q Did you convey any information to your
9 military attache such as would lead him to the con-
10 clusion that there was a possibility of your resig-
11 nation as Ambassador?

12 A Absolutely not.

13 Q I hand you prosecution document 1383B(9)
14 (handing). What is it?

15 A This is a telegram sent by the military
16 attache to the General Staff Office. I have no
17 knowledge of this whatsoever, nor is there anything
18 intimated here with regard to my intentions of re-
19 signing. The military attache on his own enter-
20 tained a feeling whether such a thing would not come
21 to pass. It was something that I knew nothing about.

22 Q That is, if MATSUOKA took his proposed trip
23 to the United States.

24 A No, not so. This was written by BANZAI;
25 and for what reason and with what meaning he wrote,

I do not know.

1 Q Does that document bear the seal of the
2 Foreign Office in Japan?

3 A No. This was something with which the
4 Foreign Office was not connected at all.

5 Q Is it initialed in ink by Vice-Minister
6 OHASHI of the Foreign Office?

7 A This appears to be a document sent by the
8 Army to the Foreign Office for reference. This
9 document itself is not of the form which normally
10 and originally is that of the Foreign Office.

11 Q But it shows by the information on it that
12 it was from the Foreign Office, does it not?

13 A No. This is an army telegram.

14 Q I asked you whether or not it was initialed
15 in ink by OHASHI.

16 A I do not see it. Well, there is a Foreign
17 Office seal on this document, but this is an army
18 telegram, and I think that it was referred by the
19 army to the Foreign Office for reference. It says
20 "Vice-Minister" here, and it may be Mr. OHASHI saw
21 the telegram, but I cannot say.

22 Q Whose first name appears after that state-
23 ment?

24 A No, no one's name is written here. No, I
25

can't tell. I can't say.

1 MR. TAVENNER: I offer the document in
2 evidence.

3 MR. CUNNINGHAM: I object for the reason
4 that the document is not properly identified and is
5 not binding upon this defendant, this accused.
6

7 ACTING PRESIDENT: As I understand it, he
8 has testified that this comes from his office in
9 Berlin.

10 MR. CUNNINGHAM: It is not my understanding,
11 your Honor. My understanding is that it is a tele-
12 gram from BANZAI, the military attache to the
13 General Staff. It is no responsibility of the
14 accused.

15 ACTING PRESIDENT: Mr. Tavenner.

16 MR. TAVENNER: I suppose, if the Tribunal
17 please, that the identification would have to rest
18 upon the theory, as previously shown by the witnesses
19 for this accused, that the military attache was re-
20 quired under his duties to discuss matters of policy
21 with the Ambassador and communicate those views to
22 the General Staff.
23

24 MR. CUNNINGHAM: It is suggested, your
25 Honor, that the record does not bear out that last
statement. That is not a true statement of the

1 situation, that the matters of military were separ-
2 ate from the matters of political in the Embassy
3 in Berlin.

4 MR. TAVENNER: There is no military question
5 involved in the matter we are now discussing, and it
6 would seem to me to be a question of whether or not
7 this witness is bound by the acts of the military
8 attache in the light of General KAWABE's statement as
9 to the duty of a military attache.

10 ACTING PRESIDENT: By a majority, the
11 objections are sustained and the document is rejected.

12 We will now adjourn until one-thirty.

13 (Whereupon, at 1200, a recess
14 was taken.)

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AFTERNOON SESSION

The Tribunal met, pursuant to recess, at 1330.

MARSHAL OF THE COURT: The International
Military Tribunal for the Far East is now resumed.

ACTING PRESIDENT: With the Tribunal's per-
mission, the accused TOGO will be absent from the court-
room the whole of the afternoon session conferring with
his counsel.

Mr. Tavenner.

- - -

HIROSHI OSHIMA, an accused, resumed the
stand and testified through Japanese interpreters
as follows:

CROSS-EXAMINATION

BY MR. TAVENNER (Continued):

MR. TAVENNER: Mr. Marshal, will you hand to
the witness IPS document 1383F (2)?

(Whereupon, a document was handed to
the witness.)

Q Is that a reply from the Foreign Minister to
your wire of May 4 regarding MATSUOKA's trip to the
United States? From Foreign Minister MATSUOKA to you
as ambassador?

A Yes, this is.

1 MR. TAVENNER: I offer this document in evidence.

2 ACTING PRESIDENT: It may be received in evi-
3 dence.

4 CLERK OF THE COURT: Prosecution document 1383F
5 (2) will receive exhibit No. 3519.

6 (Whereupon, the document above re-
7 ferred to was marked prosecution's exhibit
8 No. 3519 and received in evidence.)

9 MR. TAVENNER: I will read exhibit 3519:

10 "Re: Your telegram No. 480.

11 "Concerning this matter, I have received several
12 inquiries since some time ago from the German and
13 Italian Ambassadors in Japan. Though the United States
14 might presumably want me to visit America, I have no
15 such intention. I replied to both Ambassadors to this
16 effect and had them cable to that effect to their govern-
17 ments respectively.

18 "Furthermore, when I was asked questions by
19 Japanese pressmen at Kyoto on the 4th regarding my trip
20 to Ise Shrine, I answered that, since I was very well
21 acquainted with matters concerning the United States,
22 there was no necessity for me to visit there, but on the
23 contrary, I would rather have President Roosevelt and
24 Secretary Hull visit Japan, to rectify their cognizance
25 of Japan. This is reported to you for your information.

1 "Please let both attaches know about this
2 matter."

3 Q General OSHIMA, did you let Attache BANZAI
4 know about the message from MATSUOKA?

5 A I have no recollection but I think I naturally
6 informed him of it.

7 Q When you informed him of it didn't you discuss
8 with him the reason for the message from MATSUOKA to
9 him, and did you not then learn that BANZAI had sent
10 through a message to Japan regarding this matter?

11 A I did not. The reply from the Foreign Office
12 was to my telegram and I presume that I showed it to
13 the two attaches.

14 Q But that does not answer my question. Did you
15 not discuss with BANZAI --

16 A No, I did not talk with him about it.

17 Q Before lunch I told you that I would present
18 to you a copy of the secret protocol in connection with
19 the Economic Agreement for Assistance between Japan and
20 Germany. I now hand you IPS document 889 consisting
21 of a German draft and Italian draft -- correction, please:
22 consisting of the text in both German and Japanese.

23 (Whereupon, a document was handed
24 to the witness.)

25 Q (Continuing) Are those documents marked "top

secret"?

1 A No, there is no seal but it is printed on
2 there.

3 Q Do you recognize those papers as being the
4 copy of the secret protocol?

5 A Will you wait just a moment? Yes, I do.

6 MR. TAVENNER: I desire to offer in evidence
7 the Japanese copy handed to the witness.
8

9 MR. CUNNINGHAM: Object to the introduction
10 of this document for the reason that it isn't properly
11 identified, is not shown to have been known to this
12 witness, and the witness, therefore, is not bound there-
13 by.

14 ACTING PRESIDENT: The witness just admitted
15 it as an authentic copy, did he not?

16 MR. TAVENNER: Yes.

17 ACTING PRESIDENT: Objection overruled. The
18 document will be admitted.

19 CLERK OF THE COURT: Prosecution document 889
20 will receive exhibit No. 3520.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 3520 and received in evidence.)
24

25 MR. TAVENNER: I will read in evidence only
portions of this supplementary protocol.

secret"?

1 A No, there is no seal but it is printed on
2 there.

3 Q Do you recognize those papers as being the
4 copy of the secret protocol?

5 A Will you wait just a moment? Yes, I do.

6 MR. TAVENNER: I desire to offer in evidence
7 the Japanese copy handed to the witness.

8 MR. CUNNINGHAM: Object to the introduction
9 of this document for the reason that it isn't properly
10 identified, is not shown to have been known to this
11 witness, and the witness, therefore, is not bound there-
12 by.
13

14 ACTING PRESIDENT: The witness just admitted
15 it as an authentic copy, did he not?

16 MR. TAVENNER: Yes.

17 ACTING PRESIDENT: Objection overruled. The
18 document will be admitted.

19 CLERK OF THE COURT: Prosecution document 889
20 will receive exhibit No. 3520.

21 (Whereupon, the document above re-
22 ferred to was marked prosecution's exhibit
23 No. 3520 and received in evidence.)
24

25 MR. TAVENNER: I will read in evidence only
portions of this supplementary protocol.

1 ACTING PRESIDENT: Can we get a copy of the
2 English translation?

3 MR. TAVENNER: We have endeavored to have
4 them made but they haven't arrived in the courtroom yet.
5 What I have is a typewritten copy. I have one extra
6 copy which I would be very glad to hand to the
7 President of the Tribunal.

8 (Whereupon, a document was handed
9 to the Acting President.)

10 MR. CUNNINGHAM: If your Honor please, I would
11 like to object to this procedure for the reason we
12 don't have a copy, we can't follow the translation
13 and can't even determine whether or not the translation
14 is correct.

15 ACTING PRESIDENT: I think it would be better
16 if we all had copies when this is read.

17 MR. TAVENNER: I am informed that the processed
18 copies will be here this afternoon, and I will gladly
19 postpone reading the document until they arrive.
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1 Q General OSHIMA, did you discuss plans with
2 Ribbentrop on 23 February 1941 for close cooperation
3 in all spheres of activity in carrying on the war?

4 A I conferred with him on the 23d, but whether
5 or not I discussed such a question as just suggested
6 by you I do not know, unless, perhaps, you give me some
7 more concrete details of the discussion.

8 Q Well, were not plans discussed particularly
9 with regard to news services and newspapers?

10 A Yes, that came up for discussion.

11 Q And was it not suggested by Ribbentrop that
12 the cooperation should be in the same manner as was
13 already being done in Italy, Rumania, Hungary, Slovakia
14 and Bulgaria?

15 A We discussed the matter but I do not have any
16 recollection whether he said that.

17 Q Well, did you not state that you intended to
18 create a plan for more intensive Japanese propaganda?

19 A I do not recall that either. My reason for so
20 stating is that such matters were brought up for dis-
21 cussion, but because they were not carried out they
22 do not remain in my memory.

23 Q Well, you do recall, do you not, that you
24 set up a newspaper division within the embassy and
25 Minister SAKUMA was brought over from Japan to take

charge of it?

1 A It is a fact that Minister SAKUMA came to the
2 Japanese Embassy as chief of the press division, but
3 he did not come for that purpose.
4

5 Q Well, that was what you used him for, wasn't
6 it?

7 A He did that as a part of his work.

8 Q And the result of your propaganda work in
9 the embassy in Berlin was distributed and made use of
10 in Japan also, was it not?

11 A It has never been sent to Japan.

12 Q Well, what was the source of the information
13 that you used in this propaganda?

14 A Publicity activities were actually not carried
15 out. We only gave general information which came from
16 Japan to the news agencies in Germany.

17 Q Well, toward the last of March, 1941, did you
18 discuss a general plan of extension in Japan of the
19 propaganda idea with Ambassador Ott who had been called
20 back to Germany during the MATSUOKA conferences?

21 A Are you referring to importing the German
22 method of propaganda into Japan?

23 Q Let us first answer the question generally.
24 Did you discuss propaganda in Japan with General Ott?
25

 A I have no recollection. That question may

1 have been broached because he came back to Germany,
2 but I have no recollection of any conversation on
3 that.

4 Q Reference is made to exhibit 571, page 6,456
5 of the transcript. In your discussions with Ambassa-
6 dor Ott did you not approve a plan drafted by the
7 German Foreign Ministry which in part provided for
8 the building of a demonstration hall in Tokyo?

9 A I have no recollection. However, I should
10 like to state that because there was a project under
11 discussion with reference to the erection of a
12 Japan-German Association building in Japan, and the
13 subject may have been brought up in connection with
14 that subject. But I have no recollection of hearing
15 anything about what you call a demonstration hall.

16 Q Was not the purpose of intensification of
17 propaganda to improve the minds of the Japanese
18 people for cooperation with Germany?

19 A It was to foster good will between Germany
20 and Japan.

21 Q Did you have a conversation with Ribbentrop
22 shortly prior to 4 January 1942 regarding the question
23 of cooperation between the Axis Powers and Japan in the
24 field of propaganda directed especially toward India
25 and the Arabian countries?

1 A I recall that some discussion came up in
2 connection with India and other countries, but none
3 of the things which we discussed were ever carried
4 out. I have no recollection of the contents.

5 Q Was not a joint military commission set up
6 in December 1941 to decide matters of tactics and
7 operations?

8 A In 1941 did you say?

9 Q Yes.

10 A I did not participate in the establishment
11 of the military commission, and as far as I know I
12 have heard nothing about this commission.

13 Q Possibly you may recall--

14 THE INTERPRETER: Just a moment. Correction
15 as to the latter part of the witness' reply: As far as
16 I know I have not heard that it was held.

17 A (Continuing) I should like to inquire again,
18 are you referring to the military commission?

19 Q I am referring to the commission of which
20 Admirals NOMURA and YOKOI and Lieutenant General BANZAI
21 were the Japanese members, and Field Marshal Kaitel
22 and Admiral Doenitz the German representatives.

23 A I have never heard of it. And I should like
24 to add that this was not a military commission because
25 the Italian representatives are not mentioned in

connection with it.

Q Well, if not a commission under the Tripartite Pact was it, nevertheless, a committee or commission which did act upon matters of tactics and operations?

A Such persons often met, but this was something entirely outside of the scope of my duties, and they had no responsibility of reporting to me. This group should not be called a military commission. They merely undertook discussion of routine matters between the Japanese military and naval attaches and the military and naval authorities on the German side.

Q Then there was the military agreement between Japan, Germany, and Italy of 18 January 1942, dividing the world into two zones for military and naval operations; was there not?

A This was a purely military agreement, and I as a civil official had nothing to do with it, and therefore I do not know anything of its contents.

Q Is it not true that a common code was arranged for the use of the Japanese and German navies?

A Well, after the agreement was concluded I heard informally that methods of communications had been decided upon, but I did not receive this information from any responsible source or official.

Q In a conference between you and Hitler on

1 3 January 1942 were you informed of the German in-
2 vention of a new armor-piercing hollow grenade, and
3 was it not offered by Hitler to Japan?

4 A That is a little different, but there was
5 some talk of a matter of a similar nature. That talk
6 was that a new shell which was capable of piercing a
7 tank had been created, and that this new shell was
8 to be presented to Japan. I talked of this matter
9 to the military attache, and all negotiations there-
10 after with the German Army were conducted by the
11 military attache, and therefore I am unfamiliar with
12 the details. But I did hear that this shell was
13 given to Japan.

14 Q Did Hitler stress to you the importance of
15 exchange of military discoveries between Japan and
16 Germany?

17 A I have no recollection, but I think that
18 he entertained such ideas.

19 Q Well, did you not enthusiastically agree
20 with this idea, and did you not state that the
21 Japanese Army was skilled in landing operations,
22 having carried them out for fifty years, and offer
23 to place at the disposal of the German Army Japanese
24 officers who were experts on landing operations?
25

A I have no recollection, but inasmuch as

1 the carrying out of joint operations had been de-
2 cided upon I presume as a matter of course I mentioned
3 something to that effect.

4 Q Did you .pt also express the opinion that
5 the Japanese Army would seek to occupy Burma and you
6 considered it important in this connection that
7 Germany and Japan make a joint declaration against
8 India?

9 A Did you say a joint declaration, a joint
10 statement?

11 Q Yes.

12 A I have no recollection.

13 Q Did you not say that once English bases
14 in India were eliminated Japan could easily send
15 convoys to the Persian Gulf?

16 A I have no recollection. By saying so I
17 mean that whenever I met Hitler I was asked by the
18 army -- military and naval attaches were unable to
19 see him -- to say such and such a thing to him and
20 was requested by these two attaches to bring up cer-
21 tain matters before the Fuehrer; and therefore I may
22 have said such a thing to Hitler, but at this date
23 I do not have any exact recollection.

24 Q And did you not at the conclusion of the
25 conference express the hope that Germany and Japan

would enter into close cooperation after the war?

1 A I have no recollection, but I probably did
2 so. I think it was but natural for me to make such a
3 statement.

4 Q Do you recall Hitler stating to you that
5 this was probably the first time in history that two
6 so powerful military powers that were situated far
7 apart from each other were engaged in battle jointly?

8 A Well, this was something that was talked
9 about five or six years ago. It was not an important
10 matter, and he may have said so, but I do not recall.
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Q Well, in this connection did he not state that
1 this situation created the possibility, through exact
2 timing of operations, of producing a smoke screen over
3 military activity which must have a considerable reaction
4 on the enemy, as the latter would be forced as a result
5 to keep shifting his main effort, and in this way to
6 scatter his forces hopelessly?

MR. CUNNINGHAM: I ask that the previous ques-
8 tion and answer be repeated. There is a misinterpreta-
9 tion which goes to the heart of the question. It is
10 interpreted as though OSHIMA said what was alleged,
11 and the question was concerning what Hitler said.

MR. TAVENNER: I, of course, meant Hitler.
13 That ought to clear it up.

A I have no recollection.

Q Did you not tell Ribbentrop on 6 March 1943
16 that in the near future Japanese officers, clothed as
17 couriers and embassy secretaries, would come to Berlin
18 from Tokyo to deliver particulars concerning the mili-
19 tary situation and the Japanese forces and plans?

A I do not recall whether I said this or not,
22 but such persons did come.

Q And did they deliver the plans and particulars
24 to the German Government?

A They didn't bring any plans with regard to
25

1 future operations; and, furthermore, this was a matter
2 outside of my province of duties. What I heard of was
3 the economic conditions in Japan, and what I felt was
4 necessary was reported to the German Government.
5 Military matters were conveyed by the Japanese military
6 and naval attaches to the German army and navy authori-
7 ties. But with regard to secret matters or with regard
8 to plans for the future, from what I heard later,
9 nothing of the kind was brought up by the Japanese
10 attaches with the German side.

11 Q In your conference with Hitler on 3 January
12 1942, did he discuss with you the naval war situation
13 in the Atlantic?

14 A There were no occasions for a discussion. But
15 at this date I do not recollect whether I heard anything
16 of the kind.

17 Q And did he not state that the most important
18 task was to get the submarine war going at full blast?

19 A Do you mean the German side?

20 Q Both the German and the Japanese side.

21 A I have no recollection that anything of that
22 kind was said in 1942.

23 Q Well, did he confine it, then, to either the
24 German or the Japanese side getting the submarine war
25 into full blast?

1 A No, not so. But later, in 1943, he advised
2 whether or not Japan wouldn't do that also, participate
3 in such warfare also; but I never heard of anything
4 like that brought up in 1942.

5 Q Do you not recall that on January 3, 1942, he
6 said to you that merchant vessels were being sunk by
7 Germany without warning in order that as many as pos-
8 sible of the crew should perish?

9 A I recall that Hitler said something about
10 annihilating crews of merchant vessels. But that was
11 what Germany alone intended to do and was -- But that
12 was a matter which Germany alone was thinking about, and
13 was not recommended to Japan.

14 Q And did not Hitler express the idea also that
15 this course would cause America to have difficulty in
16 recruiting crews because of the time required to train
17 seafaring personnel?

18 A I recall him saying something to the effect
19 that replacements would become difficult.

20 Q And did not Hitler also say that he had
21 ordered his submarines to surface after torpedoing and
22 shooting up the lifeboats?

23 A I have no recollection of his saying that.

24 Q General OSHIMA, did you not concur in these
25 statements of Hitler, and did you not say that the

Japanese were forced to follow these methods?

1 A I did not say anything of the kind.

2 Q Did you not have a conference with Ribbentrop
3 on 9 July 1942, at which he urged Japan to send more
4 submarines as well as cruisers and other large units
5 to the Indian Ocean to intercept supplies for the
6 British in Egypt?
7

8 A I have no recollection. That is to say, in
9 Germany Ribbentrop was in a position to attend military
10 conferences. But on the Japanese side, such matters
11 were entirely outside of my scope of duties and author-
12 ity. If, however, assuming that he said so, I would
13 naturally have transmitted such matters to the naval
14 attache. At this date I have no recollection.

15 Q Maybe this will refresh your recollection:

16 Do you not recall that you advised Ribbentrop
17 that the English and American reinforcements to Egypt
18 were being impeded by the activity of Japanese sub-
19 marines?
20

21 A I have no recollection on that either. If
22 assuming that I said so, then the naval attache for
23 Japan may have asked me to convey the matter. I say
24 this because, being a civil official, I was not receiv-
25 ing any official report as to the location of Japanese
submarines.

1 Q Did you not agree with Ribbentrop that you
2 would pass these suggestions on to Tokyo?

3 A I may have done so, but the channel through
4 which such reports were transmitted was from the
5 Japanese naval attache to the naval authorities in
6 Tokyo.

7 Q Regardless of the channel that was used, did
8 you, in passing on these suggestions, recommend their
9 acceptance?

10 A No, that is not so. Such matters were
11 entirely handled by the naval attache. I merely
12 transmitted information to him. To explain further,
13 even in Tokyo the Foreign Office did not in any manner
14 handle such matters.

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Q Were you informed that prior to February 26, 1943, Admiral NOMURA stated to German officials that the Japanese Navy was planning to use submarines against merchant shipping, and that he had asked you and Foreign Minister Ribbentrop to request that two German submarines be put at Japan's disposal?

A I heard that the Japanese Navy desired the transfer of the German submarines to Japan, but I never heard anything about torpedoing merchant shipping. I think the Germans were already torpedoing merchant ships at the time.

Q I think possibly you misunderstood my question. Were you informed that Admiral NOMURA stated to German officials that the Japanese Navy was planning to use submarines against merchant shipping and wanted two submarines from Germany for that purpose?

A Then there seems to be two questions. Does the first part of your question mean using submarines as cargo vessels; and the other question that Japan wished to have two German submarines?

Q It relates to the use of German submarines in the sinking of merchant shipping and also Japan's request for two submarines to be placed at Japan's disposal.

A I heard of the desire to have two submarines,

1 but I heard nothing about submarine warfare.

2 Q You heard nothing about the use of the
3 submarines against merchant shipping, is that what
4 I understand?

5 A I never heard of it, but I presume that both
6 Japan and the United States were already doing that.

7 Q Were you not informed that Hitler favored the
8 idea of releasing one submarine, but that he would not
9 decide the matter until he was officially asked to do so?

10 A No, I heard nothing about it.

11 Q Well, now, on the 6th of March, 1943, at a
12 conference with Ribbentrop did you not state that the
13 Japanese Government intended to increase the submarine
14 shipping attacks and would immediately set about
15 making the necessary preparations?

16 A I may have, but if I did so I was conveying
17 the intentions of the Japanese Navy.

18 Q And did you not mention the fact that Japanese
19 submarines were at that time not suited for shipping
20 attacks and that the Navy had to revamp its construction
21 program?

22 A I may have and if I did I was conveying the
23 message of the naval authorities. I have no definite
24 recollection as to that. Being an ambassador stationed
25 abroad, I knew nothing about submarine construction and

1 so, if I did say anything of the kind, I was conveying
2 the message of the Japanese naval authorities.
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1 Q Well, you recall this, do you not, that you
2 stated that the Japanese Navy would be grateful if
3 it could obtain two submarines from the German
4 Navy?

5 MR. CUNNINGHAM: I object to further dis-
6 cussion of this question. It seems like an utter
7 waste of time to spend so much time concerning two
8 submarines in a period after the war had begun, or
9 the diplomatic conversations concerning them. It
10 certainly has no materiality or relevancy to the
11 main issue involved in this case -- plans and
12 preparations for a campaign.

13 ACTING PRESIDENT: It was not only plans
14 and preparations, but the waging of an aggressive
15 war. Objection overruled.

16 A I said that the Japanese Navy desired the
17 transfer of two German submarines.

18 Q And, did not Ribbentrop agree with you and
19 state that he would speak to Admiral Doenitz about
20 it?

21 A I do not know what Ribbentrop actually said --
22 told Doenitz, if he did, because after that the
23 matter was entirely transferred into the hands of
24 the Naval Attache, who conducted his negotiations
25 with the German Navy. I presume Ribbentrop may have

1 said that, but I do not know.

2 Q Well, let's see if a good many things didn't
3 occur before the matter was turned over to Admiral
4 NOMURA.

5 Do you not recall that on the same day,
6 6 March 1943, Ribbentrop again summoned you to a
7 conference and explained to you that the German
8 Government, after consultation with the Navy, was
9 prepared to place one or two U-boats at the disposal
10 of the Japanese Navy?

11 A Ribbentrop had already once before -- quite
12 a while before already said that Germany was prepared
13 to give Japan one or two submarines, but I have no
14 recollection whether he repeated that again on this
15 occasion you are referring to.

16 Q Well, is it not a fact that at this time he
17 further stated to you that the German Government
18 offered these submarines on condition that the Japa-
19 nese Navy tackle immediately submarine construction
20 on a large scale and carry mass production into effect?
21

22 A I do not now recall what Ribbentrop later
23 said, but in connection with the transfer of the
24 German submarines to Japan, no conditions were
25 attached. Ribbentrop expressed the German desire
that Japan utilize submarines for the purpose of

1 destroying lines of communications and also the hope
2 that Japan would expand the construction of sub-
3 marines, but he did not attach any conditions with
4 the presentation of the U-boats.

5 Q At about that time, there was a distinct
6 change in policy in Japanese naval warfare, was there
7 not, which placed emphasis upon the destruction of
8 tonnage or, in other words, tonnage warfare?

9 A That was something with which the ambassador
10 had no connections whatsoever and was never informed.

11 ACTING PRESIDENT: We will recess for fifteen
12 minutes.

13 (Whereupon, at 1445, a recess was
14 taken until 1500, after which the proceed-
15 ings were resumed as follows:)

16 - - -

17 MARSHAL OF THE COURT: The International
18 Military Tribunal for the Far East is now resumed.

19 ACTING PRESIDENT: Captain Kraft.

20 LANGUAGE ARBITER (Captain Kraft): If the
21 Tribunal please, the following language correction is
22 submitted:
23

24 Reference exhibit No. 179-I, paragraph 2,
25 record page 1938, lines 11 to 13: Delete "The army
is so strongly determined in its positive policy

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1 towards Manchuria that orders given by the central
2 authorities may not be carried out" and substitute
3 "The determination of the military circles towards
4 Manchuria is so strong that it is feared that orders
5 given by the central authorities may not be thorough-
6 ly understood."

7 ACTING PRESIDENT: Mr. Tavenner.

8 MR. TAVENNER: If the Tribunal please, I will
9 ask the clerk to distribute now the copies of exhibit
10 3520. I will read from this exhibit certain portions,
11 as follows:

12 "Article 2. For carrying through Article 2 of
13 the Agreement, Germany and Japan will guarantee mutually
14 for three years means of payment to the amount of 586
15 million Reichsmarks and of a thousand million yen.

16 "Article 3. Each of the contracting parties
17 will in its economic activities in the economic sphere
18 of the other party respect the guidance of the other.

19 "Article 4. The contracting parties will, in
20 the building up of their interior economic sphere and
21 in economic exchange between the economic spheres of
22 both sides, respect with the utmost goodwill the needs
23 of the other party in any case in preference to the
24 needs of lands outside the two economic spheres of the
25 contracting parties. In the same way the contracting
parties will treat goods from the other contracting

1 party's economic sphere, as far as possible more favor-
2 ably compared with goods from lands outside the two
3 economic spheres.

4 "Article 7. The contracting parties will, in
5 the territories militarily occupied by them, grant
6 the protection to those nationals and firms of the
7 other party which have hitherto engaged in international
8 trade that flows from the spirit of the Tripartite
9 Pact between Germany, Italy, and Japan of 27 September
10 1940 corresponding to the 27th day of the ninth month
11 of the fifteenth year of the Showa Era, will accord
12 preferential protection over the nationals and firms of
13 countries outside the two economic spheres.

14 "With regard to detailed agreements after the
15 end of this war the contracting parties are to consult
16 each other.

17 "Article 8. At the end of this war the contract-
18 ing parties will resume economic relations with such
19 states as were at war with them or which had broken
20 off diplomatic relations, only after mutual consulta-
21 tions.

22 "Article 9. The contracting parties will take
23 the foregoing principles into consideration in their
24 treaty agreements with each other as well as with the
25 remaining independent states of the economic spheres

1 and in this way so far as possible work toward having
2 these principles respected by the other independent
3 states in their economic spheres.

4 "Should one of the two contracting parties
5 reach treaty accords with independent states of the
6 other economic spheres, it should consult in advance
7 with the other party about it.

8 "Article 11. This protocol has the force of an
9 inseparable constituent part of the treaty between
10 Germany and Japan on economic cooperation. It shall,
11 however, be kept secret."

12 General OSHIMA, that is the secret protocol to
13 the agreement between Germany and Japan concerning econom-
14 ic cooperation, is it not?

15 A That is what I think, but as I have told you
16 before, I have no sure recollection concerning this.

17 Q Near the top of page 36 of your affidavit you
18 state that Germany first officially requested Japanese
19 participation in the war against Russia in the summer
20 of 1943. Was it not in the summer of 1942?

21 A I think the 1 official representation from
22 Germany on this matter and the last time that Japan
23 officially denied this request was in 1943 -- in the
24 summer of 1943.
25

MR. CUNNINGHAM: I would suggest the question

was a misquotation of the affidavit.

1 MR. TAVENNER: The affidavit speaks for itself.
2 I am referring to the last line in the top paragraph
3 on page 36.

4 MR. CUNNINGHAM: The point was, your Honor,
5 that the discussion starts on page 35, and the conno-
6 tation of the quotation is incorrect. If you start
7 at No. 2 on page 35 and carry it down to the bottom
8 of the paragraph on page 36, you get the full sense and
9 not an isolated sentence which carries a different mean-
10 ing from what the paragraph really means.
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1 ACTING PRESIDENT: I do not see any mis-
2 understanding.

3 BY MR. TAVENNER:

4 Q Your affidavit plainly states that the offi-
5 cial request, you thought, was in the summer of 1943.
6 I am asking you if that is not a mistake and that it was
7 actually in the summer of 1942.

8 MR. CUNNINGHAM: I must object for the reason
9 that that is not a proper quotation of the affidavit.
10 You get an entirely different question.

11 ACTING PRESIDENT: As I understand the affi-
12 davit, it says that this official request was last made
13 in 1943. As I understood the prosecutor's question:
14 Did you not make a mistake and mean in 1942 when the last
15 request was made?

16 MR. TAVENNER: I think I can clear it up by
17 asking a very simple question in another way.

18 Q When was the first official request made for
19 Japanese participation in the Russo-German War?

20 A Only one official request was made. At that
21 time the request was made in the name of the government.

22 Q And was not that official request made in the
23 summer of 1942, and not in the summer of 1943 as stated
24 by you in your affidavit?
25

 A According to my recollection, I think it was

the summer of 1943.

1 Q Well, let me read to you your answer on this
2 matter in your interrogation by Mr. Hyde on 5 March
3 1946, which is as follows:

4 "In the summer of 1942, Germany officially
5 requested Japan to enter into the Soviet War."

6 Does this not refresh your memory as to the
7 correct time?

8 A According to my recollection, I still think
9 that 1943 is correct.
10

11 Q Were you not in favor of a Japanese attack on
12 Russia prior to the summer of 1942?

13 A I never once expressed an opinion in favor of
14 such an act.

15 MR. TAVENNER: I am sorry; will you repeat
16 the answer, please?

17 (Whereupon, the last answer of the
18 witness was read by the official court reporter.)

19 Q I asked you if you were in favor of a Japanese
20 attack on Russia prior to the summer of 1942.

21 A No, I was not. Several times I did convey
22 German desires in this regard, previously.

23 Q Well, prior to the summer of 1942, which may
24 have been the time of the making of the official request,
25 did you not have numerous conferences with various German

officials regarding the progress of the war against
1 Russia?

2 A Regarding the progress of the war against
3 Russia, I gained my information through two channels;
4 first, the army from its own standpoint gained informa-
5 tion from the German Army, and secondly, I gained my
6 information from talks with Ribbentrop regarding the
7 German-Soviet War. Only once, I believe it was either
8 toward the end of July or the beginning of August 1942,
9 when -- 1941, when I asked Ribbentrop concerning the
10 progress of the war against Russia, he called Marshal
11 Keitel in and had him explain the war situation.
12

13 Q Well, did you speak to any other German
14 officials about the progress of the war in Russia,
15 other than Ribbentrop and Keitel? And by "officials"
16 I mean civilian as well as military officials.

17 A Of course, I did hear secondhand from the
18 Military Attache what he was able to hear from the
19 German Army, but I myself personally never heard any-
20 thing from the German Army except from Keitel.

21 Q That was not an answer at all to my question.
22 Did you discuss the progress of the German-Russian
23 War with any civilian officials?
24

25 A By talks do you mean whether I asked him re-
garding the progress of the German-Soviet War?

1 Q I mean whether or not you had a conference
2 with them in which the progress of the war was discussed.

3 A I did ask, from time to time, regarding the
4 progress of the war, but there was no need to carry on
5 discussions regarding any such matter, and I myself have
6 no recollection of ever having conducted discussions with
7 Ribbentrop on that point -- with persons other than
8 Ribbentrop on that point.

9 Q As a matter of fact, shortly prior to 17 Novem-
10 ber 1941, did you not have a conference with Erdsmandorf
11 relating to the war against Russia?

12 A As I have written in my affidavit, Erdsmandorf
13 was head of the Japanese section of the Foreign Office
14 -- was head of the Japanese section, and there is never
15 any occasion on which an ambassador would talk with a
16 section chief.

17 MR. TAVENNER: General OSHIMA, I will have to
18 ask the Tribunal to direct you to reply to my questions,
19 rather than going off on some explanation which has
20 nothing to do with my question.

21 ACTING PRESIDENT: The witness will confine
22 his answers to the questions asked.

23 A I have never asked him anything in regard to
24 that point. It must be a mistake in his memory.

25 Q I did not ask you if you asked him anything;

1 I asked you if you had a conference with him in which
2 the progress of the Russian War was discussed or men-
3 tioned.
4

5 A I may have had informal conversations with
6 him, but I have never officially discussed that matter
7 with him.
8

9 Q Then, all this time you knew that you had
10 conferred with him, but you had not had an official
11 conference?
12

13 A I presume that he gathered such information
14 by assembling --
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16 Correction: I assume that he obtained such
17 information from conversations held at social gatherings.
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Q Well, we are not asking what you presumed
1 about the source of his information. Let us get
2 directly to the point as to what was in your conver-
3 sation and I will speak more about what you said
4 than about what Erdmansdorff said. I am not talking
5 about the progress of the Russian war.

6 Do you not recall and is it not a fact
7 that you told Erdmansdorff that you had no informa-
8 tion whatever concerning the intention and the
9 deliberations of the Japanese Government, but accord-
10 ing to your own personal opinion that, in view of
11 the time of year, Japanese military operations
12 against the Soviet Union could take place only on a
13 limited scale?
14

15 A I do not recall.

16 Q Or in a conference with Ribbentrop on 23 March
17 1942 did not Ribbentrop mention to you that an advance
18 of Japanese armies against Vladivostok in the direction
19 of the Baikal Sea area would be advisable if Japan
20 felt that she was strong enough?

21 A Maybe he did say so but I do not remember.

22 Q Well, did you not fully agree with Ribbentrop's
23 suggestion and state that although you had received no
24 official communique of the Japanese intentions you
25 favored an advance against Vladivostok within East

1 Siberia within the year as you were of the opinion
2 that a more opportune time would never arrive again?

3 A I have no recollection of ever having said
4 anything of the sort and, as a matter of fact, I
5 never even had such thoughts.

6 Q In a conference with Weiszaecker on 21 April
7 1942 did you not state that, as a matter of course,
8 it seemed to you that Japan should attack the
9 Russians in East Asia?

10 A I have no recollection of having made such
11 a thing -- of having said such a thing.

12 Q And in this conference did you not assure
13 Weiszaecker that you were working hard to put an end
14 to the wholly unnatural situation in which Japan was
15 still living in peace and close neighborliness with
16 the Russian enemy so furiously engaged by Germany?

17 A May I have the date repeated, please?

18 Q 21 April 1942.

19 A I never had such a conference. I knew
20 more than anyone else that it was impossible for
21 Japan to fight a war on two fronts.

22 Q Regardless of what you may have known or
23 may not have known, I am asking you whether or not
24 you said these things?
25

A I am replying to you that I did not make

such remarks.

1 Q Was not the official request for the
2 Japanese entry into the Russian war made on 9 July
3 1942?
4

5 A According to my recollection I feel that
6 the official request to Japan was made in 1943 and,
7 as I have been repeatedly telling you, this is only
8 my own recollection. Previous to that time many of
9 their requests were repeatedly rejected. This date
10 to which you refer of July 9, 1942, I believe that
11 if a request was made at that time it was denied
12 but that request was not official -- September instead
13 of July.

14 Q Regardless of whether the request was
15 official or unofficial, did you at this conference on
16 9 July 1942 with Ribbentrop state that you were
17 well pleased with developments in Russia and North
18 Africa and that you yourself were convinced of the
19 imperativeness of a Japanese attack on Russia?
20

21 A I have no such recollection.

22 Q Did you not indicate to Ribbentrop that you
23 were very enthusiastic over the idea and that you
24 would immediately report the request to Tokyo?

25 A Does not your question really mean this, that
I refused the request on the 9th of July?

1 Q No, I mean just the opposite, that you
2 agreed to submit the request to Tokyo.

3 A I see. If on the 9th of July there was a
4 request from the German side I must have faithfully
5 transmitted it to the Japanese Government.

6 Q And did you also indicate that you were
7 enthusiastic over the idea of Japanese participation
8 in the Russo-German War?

9 A I do not think I conveyed anything except
10 the expressions of diplomatic courtesy.

11 Q Do you mean to tell this Tribunal that
12 your approval of the entry of Japan into the Russo-
13 German War was nothing more than a diplomatic gesture
14 of courtesy?

15 A No, that is not so. The duty of an
16 ambassador is to faithfully convey whatever one
17 government wants to say to another; and what I said
18 was that even though I knew in my own heart that it
19 was impossible for Japan to carry on a war on two
20 fronts, it was my duty to convey any German request
21 in this regard to the Japanese and thus at least to
22 preserve the formal diplomatic procedure.

23 Q I don't intent to criticise you for conveying
24 the request. I am asking you if you didn't advise
25 Ribbentrop that you were enthusiastic over the

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1 prospect of Japan's entering into the Russo-German
2 War?

3 A No, I did not.
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1 Q Well, on 30 July, 1942, did you convey to
2 Ribbentrop the Japanese reply to the official request
3 for participation in the Russo-Japanese War? And if
4 you did, what was the reply?

5 A I am not sure at all as to the dates, but
6 if, on the 9th of July, Germany actually did make a
7 request, naturally at some date later to that date the
8 Japanese Government would have sent a refusal.

9 Q You conveyed this refusal to Ribbentrop, did
10 you not?

11 A I think I must have. My memory is not at
12 all certain on this point, but I think I must have
13 taken it myself.

14 Q What was the ground of refusal?

15 A I think I must have refused, saying that
16 that was impossible. I could see no other reason.
17 I conveyed the refusal, saying that such a request was
18 impossible.

19 Q Well, now, at the time you conveyed this reply
20 to Ribbentrop, did you not advise Ribbentrop that you
21 had cabled Tokyo details of your last talk with him
22 and had also added your own point of view, namely that
23 an early intervention against Russia and intensive
24 action to paralyze English shipping in the Indian
25 Ocean was proper?

1 A It is not in my recollection.

2 Q Did you not also on this occasion state to
3 Ribbentrop that you had personally shared Germany's
4 understanding that today a uniquely favorable oppor-
5 tunity presented itself to Japan to deal a blow to
6 the Russians and moreover that the Japanese Army had
7 always advocated the opinion that such action against
8 Russia was necessary?

9 A I have no recollection of ever having said
10 any such thing.

11 Q Didn't you also tell Ribbentrop that un-
12 doubtedly there were various opinions in Japan on this
13 matter and that you did not consider the answer that
14 had been given to be final?

15 A I don't remember ever having made such a
16 statement.

17 Q Did you not also state that you had pro-
18 posed again and again to utilize the opportune moment
19 and this would be borne in mind in Japan?

20 A I didn't.

21 Q Did you not also state that in spite of the
22 large operations in the south you favored conducting
23 a thrust against Russia, too?

24 A I don't remember ever having said such a
25 thing.

1 Q Did you not close your remarks at this con-
2 ference with the assurance that in your opinion the
3 advance to the north was Japan's fateful question
4 which you had always reiterated to your government?

5 A I have no recollection of ever having made
6 such an assurance.

7 Q At a conference with Ribbentrop on 6 March,
8 1943 did you not advise him that although you did not
9 know the intentions of the military leaders in your
10 Fatherland, nevertheless, you knew that for a
11 long time Japan had the intention of turning against
12 Russia?

13 A Did you say to turn against Russia?

14 Q To turn against Russia, meaning to fight
15 Russia.
16

17 A I have no recollection of having made such
18 a remark.

19 Q At a conference between you and Ribbentrop
20 at Fuesli on 18 April, 1943, did you not state that
21 you knew the Japanese Embassy at Sofia had reported to
22 Tokyo rumors about a separate peace between Germany
23 and Russia in consequence of which you had arranged
24 for all such telegrams from Sofia to be given to you
25 and that you had taken measures against its repetition?

A I have no such recollection.

1 Q Did you receive, in September, 1944, an
2 instruction from your government suggesting conclu-
3 sion of a separate peace between Germany and Russia?

4 A I did.

5 Q In your conversation with Ribbentrop regard-
6 ing this matter, did you not state that Japan would
7 fight on Germany's side until the final victory?

8 A I don't recall having made such a statement;
9 but, since Japan was Germany's ally, it was but
10 natural that I should have.

11 Q General OSHIMA, did you approve of and favor
12 Japanese exploitation of French Indo-China in Sep-
13 tember, 1941?

14 A I never heard of that. I received instruct-
15 ions from my home government to the effect that the
16 Japanese Government desired the German Government,
17 through its Ambassador stationed in France, to support
18 the Japanese representations vis-a-vis French Indo-
19 China. But I conveyed these instructions from my
20 home government, but that is as far as I know of the
21 matter.
22

23 Q Now, you are very exact in the choice of your
24 language, and you use the word "representations" of
25 the Japanese Government to French Indo-China. But,
in this instance, didn't you mean demands on French

Indo-China and not representations?

1 A I am afraid I can't understand your ques-
2 tion.

3 Q Well, I will ask you more in detail. If
4 there is a misinterpretation, it will be straightened
5 out in the course of my question. Now, was not the
6 Japanese Government endeavoring at this time to use
7 the German Government to bring pressure on France
8 to accept Japanese demands on French Indo-China?
9

10 A I don't believe that Japan had any strong
11 desires in that regard.

12 Q If MATSUOKA took the position that armed
13 force would be used by the 20th of September unless
14 his demands were accepted, do you mean to say that
15 that was not a determined view?

16 A No such news was conveyed to Germany. If
17 I had been in Japan, I might have heard of that, but
18 in Germany I didn't hear about that at all.

19 ACTING PRESIDENT: We will adjourn until
20 nine-thirty tomorrow morning.

21 (Whereupon, at 1600, an adjourn-
22 ment was taken until Tuesday, 2 December,
23 1947, at 0930.)
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